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1 LLP and Lorber, Greenfield & Olsen, LLP, respectfully submits its First Amended Answer to
2 Plaintiff's Complaint as follows:

3 I. INTRODUCTION

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5 1. SnG denies the allegations in Paragraph 1 of the Complaint, except admits that it
6 is a Federal Firearms Licensee located in the State of Arizona. To the extent the allegations in
7 Paragraph 1 of the Complaint are directed to other defendants, SnG denies knowledge or
8 information sufficient to form a belief about the truth of such allegations, and refers all questions
9 of law to this Honorable Court.
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11 2. SnG denies the allegations in Paragraph 2 of the Complaint. To the extent the
12 allegations in Paragraph 2 of the Complaint are directed to other defendants, SnG denies
13 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
14 denied.
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16 3. SnG denies knowledge or information sufficient to form a belief about the truth of
17 the actions of the United States or persons unaffiliated with SnG in Paragraph 3 of the Complaint,
18 so same are denied, but SnG specifically denies any allegation in Paragraph 3 of the Complaint that
19 SnG had actual or constructive knowledge of any alleged illegally activity taking place in its
20 premises.
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22 4. SnG states that the allegations in Paragraph 4 of the Complaint are directed to other
23 defendants, and as such, no response is required. To the extent that a response is required, it denies
24 knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph
25 4 of the Complaint, and refers all questions of law to this Honorable Court.
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27 5. SnG denies the allegations in Paragraph 5 of the Complaint. To the extent the
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1 allegations in Paragraph 5 of the Complaint are directed to other defendants, SnG denies
2 knowledge or information sufficient to form a belief about the truth of such allegations so same are
3 denied.
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5 6. SnG denies the allegations in Paragraph 6 of the Complaint. To the extent the
6 allegations in Paragraph 6 of the Complaint are directed to other defendants, SnG denies
7 knowledge or information sufficient to form a belief about the truth of such allegations. To the
8 extent the allegations in Paragraph 6 of the Complaint relate to Plaintiff's purported motivation in
9 bringing this lawsuit, SnG denies knowledge or information sufficient to form a belief. Defendant
10 refers all questions of law to this Honorable Court.
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12 7. SnG denies the allegations in Paragraph 7 of the Complaint and refers all questions
13 of law to this Honorable Court.
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15 8. SnG states that the allegations in Paragraph 8 of the Complaint are not directed to
16 any defendant, and as such, no response is required. To the extent that a response is required, it
17 denies knowledge or information sufficient to form a belief about the truth of the allegations in
18 Paragraph 8 of the Complaint.
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20 9. SnG denies the allegations in Paragraph 9 of the Complaint. To the extent the
21 allegations in Paragraph 9 of the Complaint are directed to other defendants, SnG denies
22 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
23 denied.
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25 10. SnG denies the allegations in Paragraph 10 of the Complaint. To the extent the
26 allegations in Paragraph 10 of the Complaint are directed to other defendants, SnG denies
27 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
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1 denied. To the extent the allegations in Paragraph 10 relate to information outside the knowledge of
2 any defendant, SnG denies knowledge or information sufficient to form a belief.

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4 11. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50) and the choice of law
5 analysis contained therein, Mexican law does not apply. Notwithstanding, SnG denies the
6 allegations in Paragraph 11 of the Complaint to the extent they relate to purported violations of
7 U.S. federal and state statutes, and refers all questions of law to this Honorable Court. To the extent
8 the allegations in Paragraph 11 of the Complaint are directed to other defendants, SnG denies
9 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
10 denied.

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12 12. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
13 claims (Counts Nine through Thirteen of the Complaint) and Arizona Consumer Fraud Act claim
14 (Count Seven of the Complaint) were dismissed, and as such, no response to such allegations or
15 claims is required. Notwithstanding, SnG denies the factual allegations in Paragraph 12 of the
16 Complaint, and refers all questions of law to this Honorable Court. To the extent the allegations in
17 Paragraph 12 of the Complaint are directed to other defendants, SnG denies knowledge or
18 information sufficient to form a belief about the truth of such allegations, so same are denied.
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21 13. Paragraphs 13 of the Complaint solely outlines a request for relief, to which a
22 response is not required. To the extent that a response is required, SnG denies the allegations in
23 Paragraph 13 of the Complaint, notes that the U.S. Government already monitors defendants'
24 firearms sales practices through the Department of Justice's Bureau of Alcohol, Tobacco, Firearms
25 and Explosives ("ATF"), and refers all questions of law to this Honorable Court.
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II. PARTIES

14. SnG admits that Plaintiff is a sovereign nation that shares a border with the United States. The remaining allegations in Paragraph 14 of the Complaint call for legal conclusions to which no response is required. To the extent that a response is required, SnG denies the allegations in Paragraph 14 of the Complaint, and refers all questions of law to this Honorable Court.

15. SnG states that the allegations in Paragraph 15 of the Complaint are directed to another defendant. To the extent that a response is required, it denies knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 15 of the Complaint, and refers all questions of law to this Honorable Court.

16. SnG denies the allegations in Paragraph 16 of the Complaint, except admits that it is a corporation organized and existing under the laws of the State of Arizona.

17. SnG states that the allegations in Paragraph 17 of the Complaint are directed to another defendant. To the extent that a response is required, it denies knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 17 of the Complaint, and refers all questions of law to this Honorable Court.

18. SnG states that the allegations in Paragraph 18 of the Complaint are directed to another defendant. To the extent that a response is required, it denies knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 18 of the Complaint, and refers all questions of law to this Honorable Court.

19. SnG states that the allegations in Paragraph 19 of the Complaint are directed to another defendant. To the extent that a response is required, it denies knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 18 of the Complaint, and

refers all questions of law to this Honorable Court.

III. JURISDICTION AND VENUE

22. SnG denies that any “events or omissions” committed by it give rise to any claim being brought by Plaintiff, but admits that based on the allegations in the Complaint, venue is proper in this District.

IV. DEFENDANTS

24. SnG denies the allegations in Paragraph 24 of the Complaint. To the extent that the allegations in Paragraph 24 of the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are

1 denied.

2 25. SnG denies the allegations in Paragraph 25 of the Complaint To the extent that the
3 allegations in Paragraph 25 of the Complaint are directed to other defendants, SnG denies
4 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
5 denied.
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7 26. SnG denies knowledge or information sufficient to form a belief about the truth of
8 the allegations in Paragraph 26 of the Complaint, so same are denied.
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10 27. SnG denies knowledge or information sufficient to form a belief about the truth of
11 the allegations in Paragraph 27 of the Complaint, so same are denied.

12 28. SnG denies knowledge or information sufficient to form a belief about the truth of
13 the allegations in Paragraph 28 of the Complaint, so same are denied.
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15 29. SnG denies knowledge or information sufficient to form a belief about the truth of
16 the allegations in Paragraph 29 of the Complaint, so same are denied.

17 30. The allegations in Paragraph 30 of the Complaint relate to Plaintiff's intentions
18 related to filing this lawsuit and the substance of its legal claims, to which no response is required
19 by this Defendant. To the extent that a response is required, SnG denies that it knowingly and
20 systematically participates in any scheme to traffic firearms into Mexico, and denies knowledge or
21 information to form a belief about the truth of the allegations in Paragraph 30 of the Complaint as
22 asserted against other defendants, so same are denied.
23

24 31. SnG denies knowledge or information sufficient to form a belief about the truth of
25 the allegations in Paragraph 31 of the Complaint regarding the number of federal firearms licensees
26 located in Arizona or the population of Arizona, so same are denied. SnG denies the remaining
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1 allegations in Paragraph 31 of the Complaint.

2 32. SnG denies the allegations in Paragraph 32 of the Complaint. To the extent that the
3 allegations in Paragraph 32 of the Complaint are directed to other defendants, SnG denies
4 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
5 denied.
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7 33. SnG denies knowledge or information sufficient to form a belief about the truth of
8 the allegations in Paragraph 33 of the Complaint, so same are denied.
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10 34. SnG denies the allegations in Paragraph 34 of the Complaint regarding the cartels
11 seeking out defendants' stores and denies knowledge or information sufficient to form a belief
12 about the truth of the allegations in Paragraph 34 of the Complaint regarding the number of
13 firearms dealers between Nogales, Arizona and SnG, so same are denied. To the extent that the
14 allegations in Paragraph 34 of the Complaint are directed to other defendants, SnG denies
15 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
16 denied.
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18 35. SnG denies the allegations in Paragraph 35 of the Complaint. To the extent that the
19 allegations in Paragraph 35 of the Complaint are directed to other defendants, SnG denies
20 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
21 denied.
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23 36. SnG denies knowledge or information sufficient to form a belief about the truth of
24 the allegations in Paragraph 36 of the Complaint as to what a federal judge said or didn't say in an
25 opinion in 2003, but notes that SnG was not a party to the lawsuit referenced in Paragraph 36 of the
26 Complaint and denies that decision has any relevance or effect on the claims in this case.
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1 37. SnG denies knowledge or information sufficient to form a belief about the truth of
2 the allegations in Paragraph 37 of the Complaint, but denies that the number of traces connected to
3 a particular federal firearms licensee is evidence of any illegal, intentional or negligent conduct by
4 such licensee, as ATF has indicated on numerous occasions. SnG further denies knowledge or
5 information sufficient to form a belief about the truth as to what a federal judge said or didn't say in
6 an opinion in 2003, but notes that SnG was not a party to the lawsuit referenced in Paragraph 37 of
7 the Complaint and denies that decision has any relevance or effect on the claims in this case.
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10 38. SnG denies the allegations in Paragraph 38 of the Complaint. To the extent that the
11 allegations in Paragraph 38 of the Complaint are directed to other defendants, SnG denies
12 knowledge or information sufficient to form a belief about the truth of such allegations, so same
13 are denied.
14

15 39. SnG denies the allegations in Paragraph 39 of the Complaint. To the extent that the
16 allegations in Paragraph 39 of the Complaint are directed to other defendants, SnG denies
17 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
18 denied.
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20 40. SnG denies the allegations in Paragraph 40 of the Complaint. To the extent that the
21 allegations in Paragraph 40 of the Complaint are directed to other defendants, SnG denies
22 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
23 denied.
24

25 41. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not
26 apply to the action herein, and as such, no response to portions of Paragraph 41 of the Complaint is
27 required. SnG denies that it engages in any of the activities alleged in Paragraph 41 of the
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1 Complaint, refers all questions of law to this Honorable Court, but admits that a licensed dealer
2 who knowingly transfers or sells a firearm to a person it knows is not the “actual transferee/buyer”
3 of the firearm, as that term is defined by the ATF, may be in violation of U.S. law.
4

5 42. SnG denies the allegations in Paragraph 42 of the Complaint except admits that
6 pursuant to 18 U.S.C. § 923(g)(3)(A) and 27 C.F.R. § 478.126a, federally licensed dealers are
7 required to file a Report of Multiple Sale or Other Disposition of Pistols and Revolvers (ATF Form
8 3310.4) when two or more handguns are disposed of to a non-licensee within a five (5) business
9 day period, and this Report is sent to ATF and a designated local law enforcement agency.
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11 43. SnG denies knowledge or information sufficient to form a belief about the truth of
12 the allegations in Paragraph 43 of the Complaint except admits federally licensed dealers located in
13 Arizona, California, New Mexico and Texas are required to file a Report of Multiple Sale or Other
14 Disposition of Certain Rifles (ATF Form 3310.12) when two or more semiautomatic rifles capable
15 of accepting a detachable magazine and with a caliber greater than .22 are disposed of within a five
16 (5) business day period to an unlicensed person.
17

18 44. SnG denies the allegations in Paragraph 44 of the Complaint. To the extent that the
19 allegations in Paragraph 44 of the Complaint refer to “buyers,” “traffickers,” and the “illegal
20 market in Mexico,” SnG denies knowledge or information sufficient to form a belief about the truth
21 of such allegations, so same are denied.
22

23 45. SnG denies the allegations in Paragraph 45 of the Complaint. To the extent that the
24 allegations in Paragraph 45 of the Complaint are directed to other defendants, SnG denies
25 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
26 denied.
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1 46. SnG denies the allegations in Paragraph 46 of the Complaint.

2 47. SnG denies knowledge or information sufficient to form a belief about the truth of
3 the allegations in Paragraph 47 of the Complaint as to what a federal judge said or didn't say in an
4 opinion in 2003, but notes that SnG was not a party to the lawsuit referenced in Paragraph 47 of the
5 Complaint and denies that decision has any relevance or effect on the claims in this case.
6

7 48. SnG denies the allegations in Paragraph 48 of the Complaint. To the extent that the
8 allegations in Paragraph 48 of the Complaint are directed to other defendants, SnG denies
9 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
10 denied.
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12 49. SnG denies the allegations in Paragraph 49 of the Complaint and refers all questions
13 of law to this Honorable Court.
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15 50. SnG denies the allegations in Paragraph 50 of the Complaint. To the extent that the
16 allegations in Paragraph 50 of the Complaint are directed to other defendants, SnG denies
17 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
18 denied.
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20 51. SnG denies the allegations in Paragraph 51 of the Complaint.

21 52. SnG denies the allegations in Paragraph 52 of the Complaint and refers all questions
22 of law to this Honorable Court. To the extent that the allegations in Paragraph 52 of the Complaint
23 are directed to other defendants, SnG denies knowledge or information sufficient to form a belief
24 about the truth of such allegations, so same are denied.
25

26 53. SnG denies the allegations in Paragraph 53 of the Complaint. To the extent that the
27 allegations in Paragraph 53 of the Complaint are directed to other defendants, SnG denies
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1 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
2 denied.

3 **V. EXAMPLES OF SPECIFIC SALES**

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5 54. SnG denies the allegations in Paragraph 54 of the Complaint. To the extent that the
6 allegations in Paragraph 54 of the Complaint are directed to other defendants, SnG denies
7 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
8 denied.

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10 55. SnG denies the allegations in Paragraph 55 of the Complaint. To the extent that the
11 allegations in Paragraph 55 of the Complaint are directed to other defendants, SnG denies
12 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
13 denied.

14
15 56. There are no allegations of fact contained in Paragraph 56 of the Complaint, but SnG
16 denies any implication or inference of wrongdoing contained in Paragraph 56 of the Complaint.

17 57. SnG denies knowledge or information sufficient to form a belief about the truth of
18 the allegations in Paragraph 57 of the Complaint, as they are not directed to SnG, so same are
19 denied.

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21 58. SnG denies knowledge or information sufficient to form a belief about the truth of
22 the allegations in Paragraph 58 of the Complaint, as they are not directed to SnG, so same are
23 denied.

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25 59. SnG denies knowledge or information sufficient to form a belief about the truth of
26 the allegations in Paragraph 59 of the Complaint, as they are not directed to SnG, so same are
27 denied.

1 60. SnG denies knowledge or information sufficient to form a belief about the truth of
2 the allegations in Paragraph 60 of the Complaint, as they are not directed to SnG, so same are
3 denied.

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5 61. SnG denies knowledge or information sufficient to form a belief about the truth of
6 the allegations in Paragraph 61 of the Complaint, as they are not directed to SnG, so same are
7 denied.

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9 62. SnG denies knowledge or information sufficient to form a belief about the truth of
10 the allegations in Paragraph 62 of the Complaint, as they are not directed to SnG, so same are
11 denied.

12 63. SnG denies knowledge or information sufficient to form a belief about the truth of
13 the allegations in Paragraph 63 of the Complaint, as they are not directed to SnG, so same are
14 denied.

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16 64. SnG denies knowledge or information sufficient to form a belief about the truth of
17 the allegations in Paragraph 64 of the Complaint, as they are not directed to SnG, so same are
18 denied.

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20 65. SnG denies the allegations in Paragraph 65 of the Complaint and refers all questions
21 of law to this Honorable Court.

22 66. SnG denies the allegations in Paragraph 66 of the Complaint and refers all questions
23 of law to this Honorable Court.

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25 67. SnG denies the allegations in Paragraph 67 of the Complaint and refers all questions
26 of law to this Honorable Court.

27 68. SnG denies the allegations in Paragraph 68 of the Complaint and refers all questions
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1 of law to this Honorable Court.

2 69. SnG denies the allegations in Paragraph 69 of the Complaint and refers all questions
3 of law to this Honorable Court.

4 70. SnG denies the allegations in Paragraph 70 of the Complaint and refers all questions
5 of law to this Honorable Court.

6 71. SnG denies the allegations in Paragraph 71 of the Complaint and refers all questions
7 of law to this Honorable Court.

8 72. SnG denies the allegations in Paragraph 72 of the Complaint and refers all questions
9 of law to this Honorable Court.

10 73. SnG denies the allegations in Paragraph 73 of the Complaint and refers all questions
11 of law to this Honorable Court.

12 74. SnG denies the allegations in Paragraph 74 of the Complaint and refers all questions
13 of law to this Honorable Court.

14 75. SnG denies knowledge or information sufficient to form a belief about the truth of
15 the allegations in Paragraph 75 of the Complaint, as they are not directed to SnG, so same are
16 denied.

17 76. SnG denies knowledge or information sufficient to form a belief about the truth of
18 the allegations in Paragraph 76 of the Complaint, as they are not directed to SnG, so same are
19 denied.

20 77. SnG denies the allegations in Paragraph 77 of the Complaint and refers all questions
21 of law to this Honorable Court.

22 78. SnG denies the allegations in Paragraph 78 of the Complaint and refers all questions
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1 of law to this Honorable Court.

2 79. SnG denies the allegations in Paragraph 79 of the Complaint and refers all questions
3 of law to this Honorable Court.

4 80. SnG denies the allegations in Paragraph 80 of the Complaint and refers all questions
5 of law to this Honorable Court.

6 81. SnG denies the allegations in Paragraph 81 of the Complaint and refers all questions
7 of law to this Honorable Court.

8 82. SnG denies the allegations in Paragraph 82 of the Complaint and refers all questions
9 of law to this Honorable Court.

10 83. SnG denies the allegations in Paragraph 83 of the Complaint and refers all questions
11 of law to this Honorable Court.

12 84. SnG denies the allegations in Paragraph 84 of the Complaint and refers all questions
13 of law to this Honorable Court.

14 85. SnG denies the allegations in Paragraph 85 of the Complaint and refers all questions
15 of law to this Honorable Court.

16 86. SnG denies the allegations in Paragraph 86 of the Complaint and refers all questions
17 of law to this Honorable Court.

18 87. SnG denies the allegations in Paragraph 87 of the Complaint and refers all questions
19 of law to this Honorable Court.

20 88. SnG denies the allegations in Paragraph 88 of the Complaint and refers all questions
21 of law to this Honorable Court.

22 89. SnG denies the allegations in Paragraph 89 of the Complaint and refers all questions
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1 of law to this Honorable Court.

2 90. SnG denies the allegations in Paragraph 90 of the Complaint and refers all questions
3 of law to this Honorable Court.
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5 91. SnG denies the allegations in Paragraph 91 of the Complaint and refers all questions
6 of law to this Honorable Court.

7 92. SnG denies the allegations in Paragraph 92 of the Complaint and refers all questions
8 of law to this Honorable Court.
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10 93. SnG denies the allegations in Paragraph 93 of the Complaint and refers all questions
11 of law to this Honorable Court.

12 94. SnG denies the allegations in Paragraph 94 of the Complaint and refers all questions
13 of law to this Honorable Court.
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15 95. SnG denies the allegations in Paragraph 95 of the Complaint and refers all questions
16 of law to this Honorable Court.

17 96. SnG denies the allegations in Paragraph 96 of the Complaint and refers all questions
18 of law to this Honorable Court.
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20 97. SnG denies the allegations in Paragraph 97 of the Complaint and refers all questions
21 of law to this Honorable Court.

22 98. SnG denies the allegations in Paragraph 98 of the Complaint and refers all questions
23 of law to this Honorable Court.
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25 99. SnG denies knowledge or information sufficient to form a belief about the truth of
26 the allegations in Paragraph 99 of the Complaint, as they are not directed to SnG, so same are
27 denied.
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1 100. SnG denies the allegations in Paragraph 100 of the Complaint and refers all
2 questions of law to this Honorable Court.

3 101. SnG denies the allegations in Paragraph 101 of the Complaint and refers all
4 questions of law to this Honorable Court.

5 102. SnG denies the allegations in Paragraph 102 of the Complaint and refers all
6 questions of law to this Honorable Court.

7 103. SnG denies the allegations in Paragraph 103 of the Complaint and refers all
8 questions of law to this Honorable Court.

9 104. SnG denies knowledge or information sufficient to form a belief about the truth of
10 the allegations in Paragraph 104 of the Complaint, as they are not directed to SnG, so same are
11 denied.

12 105. SnG denies knowledge or information sufficient to form a belief about the truth of
13 the allegations in Paragraph 105 of the Complaint, as they are not directed to SnG, so same are
14 denied.

15 106. SnG denies knowledge or information sufficient to form a belief about the truth of
16 the allegations in Paragraph 106 of the Complaint, as they are not directed to SnG, so same are
17 denied.

18 107. SnG denies knowledge or information sufficient to form a belief about the truth of
19 the allegations in Paragraph 107 of the Complaint, as they are not directed to SnG, so same are
20 denied.

21 108. SnG denies knowledge or information sufficient to form a belief about the truth of
22 the allegations in Paragraph 108 of the Complaint, as they are not directed to SnG, so same are
23 denied.

24 109. SnG denies knowledge or information sufficient to form a belief about the truth of
25 the allegations in Paragraph 109 of the Complaint, as they are not directed to SnG, so same are
26 denied.

27 110. SnG denies knowledge or information sufficient to form a belief about the truth of
28 the allegations in Paragraph 110 of the Complaint, as they are not directed to SnG, so same are
29 denied.

1 denied.

2 109. SnG denies the allegations in Paragraph 109 of the Complaint and refers all
3 questions of law to this Honorable Court.
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5 110. SnG denies knowledge or information sufficient to form a belief about the truth of
6 the allegations in Paragraph 110 of the Complaint, as they are not directed to SnG, so same are
7 denied.
8

9 111. SnG denies the allegations in Paragraph 111 of the Complaint and refers all
10 questions of law to this Honorable Court.

11 112. SnG denies the allegations in Paragraph 112 of the Complaint and refers all
12 questions of law to this Honorable Court.
13

14 113. SnG denies the allegations in Paragraph 113 of the Complaint and refers all
15 questions of law to this Honorable Court.

16 114. SnG denies the allegations in Paragraph 114 of the Complaint and refers all
17 questions of law to this Honorable Court.
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19 115. SnG denies the allegations in Paragraph 115 of the Complaint and refers all
20 questions of law to this Honorable Court.

21 116. SnG denies the allegations in Paragraph 116 of the Complaint and refers all
22 questions of law to this Honorable Court.
23

24 117. SnG denies the allegations in Paragraph 117 of the Complaint and refers all
25 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 117 of
26 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient
27 to form a belief about the truth of such allegations, so same are denied.
28

VI. DATA

118. SnG denies the allegations in Paragraph 118 of the Complaint. To the extent that the allegations in Paragraph 118 of the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are denied.

119. SnG denies the allegations in Paragraph 119 of the Complaint. To the extent that the allegations in Paragraph 119 of the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are denied.

120. SnG denies the allegations in Paragraph 120 of the Complaint. To the extent that the allegations in Paragraph 120 of the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are denied.

121. SnG denies the allegations in Paragraph 121 of the Complaint and refers all questions of law to this Honorable Court. To the extent that the allegations in Paragraph 121 of the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such allegations.

122. SnG denies the allegations in Paragraph 122 of the Complaint. To the extent that the allegations in Paragraph 122 of the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are denied.

123. SnG denies the allegations in Paragraph 123 of the Complaint. To the extent that the

1 allegations in Paragraph 123 of the Complaint are directed to other defendants and non-parties,
2 SnG denies knowledge or information sufficient to form a belief about the truth of such allegations,
3 so same are denied.
4

5 124. SnG denies the allegations in Paragraph 124 of the Complaint.

6 **VII. DEFENDANTS' LEGAL DUTIES**

7 125. SnG denies the allegations in Paragraph 125 of the Complaint and refers all
8 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 125 of the
9 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
10 form a belief about the truth of such allegations, so same are denied.
11

12 126. SnG denies the allegations in Paragraph 126 of the Complaint and refers all
13 questions of law to this Honorable Court.
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15 127. SnG denies the allegations in Paragraph 127 of the Complaint and refers all
16 questions of law to his Honorable Court. To the extent that the allegations in Paragraph 127 of the
17 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
18 form a belief about the truth of such allegations, so same are denied.
19

20 128. SnG denies the allegations in Paragraph 128 of the Complaint. To the extent that the
21 allegations in Paragraph 128 of the Complaint are directed to other defendants, SnG denies
22 knowledge or information to form a belief about the truth of such allegations, so same are denied.
23

24 129. SnG denies the allegations in Paragraph 129 of the Complaint and refers all
25 questions of law to this Honorable Court.

26 130. SnG denies the allegations in Paragraph 130 of the Complaint and refers all
27 questions of law to this Honorable Court.
28

1 131. SnG denies the allegations in Paragraph 131 of the Complaint and refers all
2 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 131 of the
3 Complaint are directed to other defendants, SnG denies knowledge or information to form a belief
4 about the truth of such allegations, so same are denied.
5

6 132. The Paragraph designated as “132” of the Complaint includes solely legal
7 conclusions, and as such, no response is necessary. However, in the event the Court determines
8 that an answer is required, SnG states that the referenced statutes and regulation speak for
9 themselves, and refers all questions of law to this Honorable Court.
10

11 133. The Paragraph designated as “133” of the Complaint includes solely legal
12 conclusions, and as such, no response is necessary. However, in the event the Court determines
13 that an answer is required, SnG states that the referenced statutes speak for themselves, and refers
14 all questions of law to this Honorable Court.
15

16 134. The Paragraph designated as “134” of the Complaint includes solely legal
17 conclusions, and as such, no response is necessary. However, in the event the Court determines
18 that an answer is required, SnG states that the referenced statute speaks for itself, SnG lacks
19 knowledge or information sufficient to form a belief as to why such laws were enacted, and refers
20 all questions of law to this Honorable Court.
21

22 135. Portions of the Paragraph designated as “135” of the Complaint include solely legal
23 conclusions, and as such, no response to same is necessary. SnG states that the referenced statutes
24 and regulations speak for themselves, SnG lacks knowledge or information sufficient to form a
25 belief as to why such laws were enacted, and refers all questions of law to this Honorable Court.
26 However, SnG admits that the “Bureau of Alcohol, Tobacco, Firearms and Explosives has
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1 partnered with the National Shooting Sports Foundation . . . in designing an educational program to
2 assist firearm retailers in the detection and possible deterrence of ‘straw purchasers’ . . .”

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4 136. SnG denies that the National Shooting Sports Foundation sets “standards” through its
5 “Don’t Lie for the Other Guy” campaign. SnG further states that the literature associated with that
6 educational campaign speaks for itself, and denies any remaining allegations in Paragraph 136 of
7 the Complaint.

8
9 137. SnG denies the allegations in Paragraph 137 of the Complaint, except admits that in
10 most circumstances, before transferring a firearm to any person who is not a licensed dealer, among
11 other requirements, a licensed dealer may have to conduct a background check, examine the
12 prospective buyer/transferee’s identification, and record the transaction on a firearm transaction
13 record, also known as an ATF Form 4473.

14
15 138. SnG denies the allegations in Paragraph 138 of the Complaint, except admits that in
16 most circumstances, before transferring a firearm to any person who is not a licensed dealer, among
17 other requirements, a buyer must fill out an ATF Form 4473, which currently contains question
18 21(a), which states the following: “Are you the actual transferee/buyer of all of the firearm(s) listed
19 on this form and any continuation sheet(s) (ATF Form 5300.9A)? **Warning: You are not the**
20 **actual transferee/buyer if you are acquiring any of the firearm(s) on behalf of another**
21 **person. If you are not the actual transferee/buyer, the licensee cannot transfer any of the**
22 **firearm(s) to you.** Exception: If you are only picking up a repaired firearm(s) for another
23 person, you are not required to answer 21.a. and may proceed to question 21.b.”

24
25
26 139. The Paragraph designated as “139” of the Complaint includes solely legal
27 conclusions, and as such, no response is necessary. However, in the event the Court determines
28

1 that an answer is required, SnG states that the referenced statutes and regulations speak for
2 themselves, SnG lacks knowledge or information sufficient to form a belief as to why such laws
3 were enacted, and refers all questions of law to this Honorable Court.
4

5 140. The Paragraph designated as “140” of the Complaint includes solely legal
6 conclusions, and as such, no response is necessary. However, in the event the Court determines
7 that an answer is required, SnG states that the referenced statutes and regulations speak for
8 themselves, and refers all questions of law to this Honorable Court.
9

10 141. SnG states that the ATF Form 4473 speaks for itself, denies any remaining
11 allegations in Paragraph 141 of the Complaint, and refers all questions of law to his Honorable
12 Court.
13

14 142. The Paragraph designated as “142” of the Complaint includes solely legal
15 conclusions, and as such, no response is necessary. However, in the event the Court determines
16 that an answer is required, SnG states that the referenced statutes and regulations speak for
17 themselves, and refers all questions of law to this Honorable Court.
18

19 143. The Paragraph designated as “143” of the Complaint includes solely legal
20 conclusions, and as such, no response is necessary. However, in the event the Court determines
21 that an answer is required, SnG states that the referenced statutes speak for themselves, and refers
22 all questions of law to this Honorable Court.
23

24 144. The Paragraph designated as “144” of the Complaint includes solely legal
25 conclusions, and as such, no response is necessary. However, in the event the Court determines
26 that an answer is required, SnG states that the referenced statutes and regulations speak for
27 themselves, and refers all questions of law to this Honorable Court.
28

1 145. The Paragraph designated as “145” of the Complaint includes solely legal
2 conclusions, and as such, no response is necessary. However, in the event the Court determines
3 that an answer is required, SnG states that the referenced statutes and regulations speak for
4 themselves, and refers all questions of law to this Honorable Court.
5

6 146. SnG denies the allegations in Paragraph 146 of the Complaint and refers all
7 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 146 of the
8 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
9 form a belief about the truth of such allegations, so same are denied.
10

11 147. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does not
12 apply to the action herein. To the extent that a response is required, SnG denies knowledge or
13 information sufficient to form a belief about the truth of the allegations in Paragraph 147 of the
14 Complaint.
15

16 148. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does not
17 apply to the action herein. To the extent that a response is required, SnG denies knowledge or
18 information sufficient to form a belief about the truth of the allegations in Paragraph 148 of the
19 Complaint.
20

21 149. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does not
22 apply to the action herein. To the extent that a response is required, SnG denies knowledge or
23 information sufficient to form a belief about the truth of the allegations in Paragraph 149 of the
24 Complaint.
25

26 150. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Mexican law does not
27 apply to the action herein. To the extent that a response is required, SnG denies knowledge or
28

1 information sufficient to form a belief about the truth of the allegations in Paragraph 150 of the
2 Complaint, and refers all questions of law to this Honorable Court.

3
4 151. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not
5 apply to the action herein. To the extent that a response is required, SnG denies knowledge or
6 information sufficient to form a belief about the truth of the allegations in Paragraph 151 of the
7 Complaint.

8
9 152. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not
10 apply to the action herein. To the extent that a response is required, SnG denies knowledge or
11 information sufficient to form a belief about the truth of the allegations in Paragraph 152 of the
12 Complaint.

13
14 153. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not
15 apply to the action herein. To the extent that a response is required, SnG denies knowledge or
16 information sufficient to form a belief about the truth of the allegations in Paragraph 153 of the
17 Complaint.

18
19 154. The Paragraph designated as "154" of the Complaint includes solely legal
20 conclusions, and as such, no response is necessary. However, in the event the Court determines
21 that an answer is required, SnG states that the referenced statutes and regulations speak for
22 themselves, and refers all questions of law to this Honorable Court.

23
24 155. The Paragraph designated as "155" of the Complaint includes solely legal
25 conclusions, and as such, no response is necessary. However, in the event the Court determines
26 that an answer is required, SnG states that the referenced statutes and regulations speak for
27 themselves, and refers all questions of law to this Honorable Court.
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1 156. The Paragraph designated as “156” of the Complaint includes solely legal
2 conclusions, and as such, no response is necessary. However, in the event the Court determines
3 that an answer is required, SnG states that the referenced statutes and regulations speak for
4 themselves, and refers all questions of law to this Honorable Court.
5

6 157. The Paragraph designated as “157” of the Complaint includes solely legal
7 conclusions, and as such, no response is necessary. However, in the event the Court determines
8 that an answer is required, SnG states that the referenced statutes and regulations speak for
9 themselves, and refers all questions of law to this Honorable Court.
10

11 158. The Paragraph designated as “158” of the Complaint includes solely legal
12 conclusions, and as such, no response is necessary. However, in the event the Court determines
13 that an answer is required, SnG states that the referenced statutes and regulations speak for
14 themselves, and refers all questions of law to this Honorable Court.
15

16 159. The Paragraph designated as “159” of the Complaint includes solely legal
17 conclusions, and as such, no response is necessary. However, in the event the Court determines
18 that an answer is required, SnG states that the referenced statutes and regulations speak for
19 themselves, and refers all questions of law to this Honorable Court.
20

21 160. The Paragraph designated as “160” of the Complaint includes legal conclusions, and
22 as such, no response is necessary. However, in the event the Court determines that an answer is
23 required, SnG states that the referenced statutes and regulations speak for themselves, refers all
24 questions of law to this Honorable Court, and admits that murder, drug dealing, extortion, and other
25 criminal acts committed by Cartels in Mexico would constitute a felony if such acts occurred in the
26 United States.
27
28

1 161. SnG denies the allegations in Paragraph 161 of the Complaint and refers all
2 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 161 of the
3 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
4 form a belief about the truth of such allegations, so same are denied.
5

6 162. SnG denies the allegations in Paragraph 162 of the Complaint and refers all
7 questions of law to this Honorable Court.
8

9 163. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not
10 apply to the action herein. To the extent that a response is required, SnG denies the allegations in
11 Paragraph 163 of the Complaint and refers all questions of law to this Honorable Court.

12 164. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not
13 apply to the action herein. To the extent that a response is required, SnG denies the allegations in
14 Paragraph 164 of the Complaint and refers all questions of law to this Honorable Court.
15

16 165. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not
17 apply to the action herein. To the extent that a response is required, SnG denies the allegations in
18 Paragraph 165 of the Complaint and refers all questions of law to this Honorable Court.
19

20 166. SnG denies the allegations in Paragraph 166 of the Complaint and refers all
21 questions of law to this Honorable Court.

22 167. SnG denies the allegations in Paragraph 167 of the Complaint and refers all
23 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 167 of the
24 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
25 form a belief about the truth of such allegations, so same are denied.
26

27 168. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not
28

1 apply to the action herein. Notwithstanding, SnG denies the allegations in Paragraph 168 of the
2 Complaint and refers all questions of law to this Honorable Court.

3
4 169. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not
5 apply to the action herein. Notwithstanding, SnG denies the allegations in Paragraph 169 of the
6 Complaint and refers all questions of law to this Honorable Court. To the extent that the allegations
7 in Paragraph 169 of the Complaint are directed to other defendants, SnG denies knowledge or
8 information sufficient to form a belief about the truth of such allegations, so same are denied.

9
10 170. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not
11 apply to the action herein. Notwithstanding, SnG denies the allegations in Paragraph 170 of the
12 Complaint and refers all questions of law to this Honorable Court.

13
14 171. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Mexican law does not
15 apply to the action herein. Notwithstanding, SnG denies the allegations in Paragraph 171 of the
16 Complaint and refers all questions of law to this Honorable Court.

17
18 172. SnG denies the allegations in Paragraph 172 of the Complaint and refers all
19 questions of law to this Honorable Court.

20
21 173. SnG denies the allegations in Paragraph 173 of the Complaint and refers all
22 questions of law to this Honorable Court.

23
24 174. SnG denies the allegations in Paragraph 174 of the Complaint and refers all
25 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 174 of the
26 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
27 form a belief about the truth of such allegations, so same are denied.

28 175. SnG denies the allegations in Paragraph 175 of the Complaint and refers all

1 questions of law to this Honorable Court.

2 176. SnG denies the allegations in Paragraph 176 of the Complaint and refers all
3 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 176 of the
4 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
5 form a belief about the truth of such allegations, so same are denied.
6

7 177. SnG denies the allegation as to what these defendants can “justly complain” of in
8 terms of the Mexico’s unwillingness, inability and ineptitude in controlling, preventing and
9 stemming criminal activity within its borders, but denies information or knowledge sufficient to
10 form a belief as to specific programs conducted by law enforcement as set forth in Paragraph 177
11 of the Complaint.
12

13 178. SnG denies the allegations in Paragraph 178 of the Complaint.
14

15 **VIII. DEFENDANTS’ ALLEGED RICO VIOLATIONS**

16 179. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Plaintiff’s RICO
17 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
18 the allegations related to or in support of Plaintiff’s RICO claims is required. Notwithstanding,
19 SnG denies any factual allegations in Paragraph 179 of the Complaint directed against it, refers all
20 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 179 of the
21 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
22 form a belief about the truth of such allegations, so same are denied.
23

24 180. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Plaintiff’s RICO
25 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
26 the allegations related to or in support of Plaintiff’s RICO claims is required. Notwithstanding,
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1 SnG denies any factual allegations in Paragraph 180 of the Complaint directed against it, refers all
2 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 180 of the
3 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
4 form a belief about the truth of such allegations, so same are denied.
5

6 181. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
7 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
8 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
9 SnG denies any factual allegations in Paragraph 181 of the Complaint directed against it, refers all
10 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 181 of the
11 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
12 form a belief about the truth of such allegations, so same are denied.
13

14 182. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
15 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
16 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
17 SnG denies any factual allegations in Paragraph 182 of the Complaint directed against it, refers all
18 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 182 of the
19 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
20 form a belief about the truth of such allegations, so same are denied.
21

22 183. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
23 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
24 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
25 SnG denies any factual allegations in Paragraph 183 of the Complaint directed against it, refers all
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1 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 183 of the
2 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
3 form a belief about the truth of such allegations, so same are denied.
4

5 184. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
6 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
7 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
8 SnG denies any factual allegations in Paragraph 184 of the Complaint directed against it, refers all
9 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 184 of the
10 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
11 form a belief about the truth of such allegations, so same are denied.
12

13 185. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
14 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
15 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
16 SnG denies any factual allegations in Paragraph 185 of the Complaint directed against it, refers all
17 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 185 of the
18 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
19 form a belief about the truth of such allegations, so same are denied.
20

21 186. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
22 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
23 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
24 SnG denies any factual allegations in Paragraph 186 of the Complaint directed against it, refers all
25 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 186 of the
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1 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
2 form a belief about the truth of such allegations, so same are denied.

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4 187. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
5 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
6 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
7 SnG denies any factual allegations in Paragraph 187 of the Complaint directed against it, refers all
8 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 187 of the
9 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
10 form a belief about the truth of such allegations, so same are denied.

11
12 188. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
13 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
14 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
15 SnG denies any factual allegations in Paragraph 188 of the Complaint directed against it, refers all
16 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 188 of the
17 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
18 form a belief about the truth of such allegations, so same are denied.

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21 189. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
22 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
23 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
24 SnG denies any factual allegations in Paragraph 189 of the Complaint directed against it, refers all
25 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 189 of the
26 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
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1 form a belief about the truth of such allegations, so same are denied.

2 190. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
3 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
4 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
5 SnG denies any factual allegations in Paragraph 190 of the Complaint directed against it, refers all
6 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 190 of the
7 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
8 form a belief about the truth of such allegations, so same are denied.
9

10
11 191. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
12 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
13 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
14 SnG denies any factual allegations in Paragraph 191 of the Complaint directed against it, refers all
15 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 191 of the
16 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
17 form a belief about the truth of such allegations, so same are denied.
18

19
20 192. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
21 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
22 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
23 SnG denies any factual allegations in Paragraph 192 of the Complaint directed against it, refers all
24 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 192 of the
25 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
26 form a belief about the truth of such allegations, so same are denied.
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1 193. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
2 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
3 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
4 SnG denies any factual allegations in Paragraph 193 of the Complaint directed against it, refers all
5 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 193 of the
6 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
7 form a belief about the truth of such allegations, so same are denied.
8

9
10 194. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
11 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
12 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
13 SnG denies any factual allegations in Paragraph 194 of the Complaint directed against it, refers all
14 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 194 of the
15 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
16 form a belief about the truth of such allegations, so same are denied.
17

18 195. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
19 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
20 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
21 SnG denies any factual allegations in Paragraph 195 of the Complaint directed against it, refers all
22 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 195 of the
23 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
24 form a belief about the truth of such allegations, so same are denied.
25

26
27 196. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
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1 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
2 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
3 SnG denies any factual allegations in Paragraph 196 of the Complaint directed against it, refers all
4 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 196 of the
5 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
6 form a belief about the truth of such allegations, so same are denied.
7

8
9 197. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
10 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
11 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
12 SnG denies any factual allegations in Paragraph 197 of the Complaint directed against it, refers all
13 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 197 of the
14 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
15 form a belief about the truth of such allegations, so same are denied.
16

17 198. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
18 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
19 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
20 SnG denies any factual allegations in Paragraph 198 of the Complaint directed against it, refers all
21 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 198 of the
22 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
23 form a belief about the truth of such allegations, so same are denied.
24
25

26 199. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
27 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
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1 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
2 SnG denies any factual allegations in Paragraph 199 of the Complaint directed against it, refers all
3 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 199 of the
4 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
5 form a belief about the truth of such allegations, so same are denied.
6

7 200. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
8 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
9 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
10 SnG denies any factual allegations in Paragraph 200 of the Complaint directed against it, refers all
11 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 200 of the
12 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
13 form a belief about the truth of such allegations, so same are denied.
14

15 201. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
16 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
17 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
18 SnG denies any factual allegations in Paragraph 201 of the Complaint directed against it, refers all
19 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 201 of the
20 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
21 form a belief about the truth of such allegations, so same are denied.
22

23 202. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
24 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
25 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
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1 SnG denies any factual allegations in Paragraph 202 of the Complaint directed against it, refers all
2 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 202 of the
3 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
4 form a belief about the truth of such allegations, so same are denied.
5

6 203. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
7 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
8 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
9 SnG denies any factual allegations in Paragraph 203 of the Complaint directed against it, refers all
10 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 203 of the
11 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
12 form a belief about the truth of such allegations, so same are denied.
13

14 204. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
15 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
16 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
17 SnG denies any factual allegations in Paragraph 204 of the Complaint directed against it, refers all
18 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 204 of the
19 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
20 form a belief about the truth of such allegations, so same are denied.
21

22 205. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
23 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
24 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
25 SnG denies any factual allegations in Paragraph 205 of the Complaint directed against it, refers all
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1 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 205 of the
2 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
3 form a belief about the truth of such allegations, so same are denied.
4

5 206. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
6 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
7 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
8 SnG denies any factual allegations in Paragraph 206 of the Complaint directed against it, refers all
9 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 206 of the
10 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
11 form a belief about the truth of such allegations, so same are denied.
12

13 207. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
14 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
15 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
16 SnG denies any factual allegations in Paragraph 207 of the Complaint directed against it, refers all
17 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 207 of the
18 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
19 form a belief about the truth of such allegations, so same are denied.
20

21 208. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
22 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
23 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
24 SnG denies any factual allegations in Paragraph 208 of the Complaint directed against it, refers all
25 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 208 of the
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1 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
2 form a belief about the truth of such allegations, so same are denied.

3
4 209. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
5 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
6 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
7 SnG denies any factual allegations in Paragraph 209 of the Complaint directed against it, refers all
8 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 209 of the
9 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
10 form a belief about the truth of such allegations, so same are denied.

11
12 210. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
13 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
14 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
15 SnG denies any factual allegations in Paragraph 210 of the Complaint directed against it, refers all
16 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 210 of the
17 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
18 form a belief about the truth of such allegations, so same are denied.

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21 211. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
22 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
23 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
24 SnG denies any factual allegations in Paragraph 211 of the Complaint directed against it, refers all
25 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 211 of the
26 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
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1 form a belief about the truth of such allegations, so same are denied.

2 212. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
3 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
4 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
5 SnG denies any factual allegations in Paragraph 212 of the Complaint directed against it, refers all
6 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 212 of the
7 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
8 form a belief about the truth of such allegations, so same are denied.
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11 213. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
12 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
13 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
14 SnG denies any factual allegations in Paragraph 213 of the Complaint directed against it, refers all
15 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 213 of the
16 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
17 form a belief about the truth of such allegations, so same are denied.
18

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20 214. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
21 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
22 the allegations related to or in support of Plaintiff's RICO claims is required. Notwithstanding,
23 SnG denies any factual allegations in Paragraph 214 of the Complaint directed against it, refers all
24 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 214 of the
25 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
26 form a belief about the truth of such allegations, so same are denied.
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1 215. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Plaintiff’s RICO
2 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
3 the allegations related to or in support of Plaintiff’s RICO claims is required. Notwithstanding,
4 SnG denies any factual allegations in Paragraph 215 of the Complaint directed against it, refers all
5 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 215 of the
6 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
7 form a belief about the truth of such allegations, so same are denied.
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10 216. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Plaintiff’s RICO
11 claims (Counts Nine through Thirteen of the Complaint) were dismissed. As such, no response to
12 the allegations related to or in support of Plaintiff’s RICO claims is required. Notwithstanding,
13 SnG denies any factual allegations in Paragraph 216 of the Complaint directed against it, refers all
14 questions of law to this Honorable Court, and to the extent any allegations in Paragraph 216 of the
15 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
16 form a belief about the truth of such allegations, so same are denied.
17

18 **IX. DEFENDANTS’ ALLEGED CONSUMER FRAUD STATUTE VIOLATIONS**

19
20 217. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Plaintiff’s Arizona
21 Consumer Fraud Act (“CFA”) claim (Count Seven of the Complaint) was dismissed. As such, no
22 response to the allegations related to or in support of Plaintiff’s CFA claims is required.
23 Notwithstanding, SnG denies the allegations in Paragraph 217 of the Complaint, refers all
24 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 217 of
25 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
26 form a belief about the truth of such allegations, so same are denied.
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1 218. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
2 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no
3 response to the allegations related to or in support of Plaintiff's CFA claims is required.
4 Notwithstanding, SnG denies the allegations in Paragraph 218 of the Complaint, refers all
5 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 218 of
6 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
7 form a belief about the truth of such allegations, so same are denied.
8

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10 219. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
11 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no
12 response to the allegations related to or in support of Plaintiff's CFA claims is required.
13 Notwithstanding, SnG denies the allegations in Paragraph 219 of the Complaint, refers all
14 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 219 of
15 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
16 form a belief about the truth of such allegations, so same are denied.
17

18 220. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
19 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no
20 response to the allegations related to or in support of Plaintiff's CFA claims is required.
21 Notwithstanding, SnG denies the allegations in Paragraph 220 of the Complaint, refers all
22 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 220 of
23 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
24 form a belief about the truth of such allegations, so same are denied.
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26 221. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
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1 Consumer Fraud Act (“CFA”) claim (Count Seven of the Complaint) was dismissed. As such, no
2 response to the allegations related to or in support of Plaintiff’s CFA claims is required.
3 Notwithstanding, SnG denies the allegations in Paragraph 221 of the Complaint, refers all
4 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 221 of
5 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
6 form a belief about the truth of such allegations, so same are denied.
7

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9 222. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Plaintiff’s Arizona
10 Consumer Fraud Act (“CFA”) claim (Count Seven of the Complaint) was dismissed. As such, no
11 response to the allegations related to or in support of Plaintiff’s CFA claims is required.
12 Notwithstanding, SnG denies the allegations in Paragraph 222 of the Complaint, refers all
13 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 222 of
14 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
15 form a belief about the truth of such allegations, so same are denied.
16

17 223. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Plaintiff’s Arizona
18 Consumer Fraud Act (“CFA”) claim (Count Seven of the Complaint) was dismissed. As such, no
19 response to the allegations related to or in support of Plaintiff’s CFA claims is required.
20 Notwithstanding, SnG denies the allegations in Paragraph 223 of the Complaint, refers all
21 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 223 of
22 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
23 form a belief about the truth of such allegations, so same are denied.
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26 224. Pursuant to this Court’s March 25, 2024 Order (ECF Doc. 50), Plaintiff’s Arizona
27 Consumer Fraud Act (“CFA”) claim (Count Seven of the Complaint) was dismissed. As such, no
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1 response to the allegations related to or in support of Plaintiff's CFA claims is required.
2 Notwithstanding, SnG denies the allegations in Paragraph 224 of the Complaint, refers all
3 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 224 of
4 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
5 form a belief about the truth of such allegations, so same are denied.
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7 225. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
8 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no
9 response to the allegations related to or in support of Plaintiff's CFA claims is required.
10 Notwithstanding, SnG denies the allegations in Paragraph 225 of the Complaint, refers all
11 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 225 of
12 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
13 form a belief about the truth of such allegations, so same are denied.
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15 226. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
16 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no
17 response to the allegations related to or in support of Plaintiff's CFA claims is required.
18 Notwithstanding, SnG denies the allegations in Paragraph 226 of the Complaint, refers all
19 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 226 of
20 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
21 form a belief about the truth of such allegations, so same are denied.
22

23 227. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
24 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no
25 response to the allegations related to or in support of Plaintiff's CFA claims is required.
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1 Notwithstanding, SnG denies the allegations in Paragraph 227 of the Complaint, refers all
2 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 227 of
3 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
4 form a belief about the truth of such allegations, so same are denied.
5

6 228. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
7 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no
8 response to the allegations related to or in support of Plaintiff's CFA claims is required.
9 Notwithstanding, SnG denies the allegations in Paragraph 228 of the Complaint, refers all
10 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 228 of
11 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
12 form a belief about the truth of such allegations, so same are denied.
13

14 229. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
15 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no
16 response to the allegations related to or in support of Plaintiff's CFA claims is required.
17 Notwithstanding, SnG denies the allegations in Paragraph 229 of the Complaint, refers all
18 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 229 of
19 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
20 form a belief about the truth of such allegations, so same are denied.
21

22 230. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
23 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no
24 response to the allegations related to or in support of Plaintiff's CFA claims is required.
25 Notwithstanding, SnG denies the allegations in Paragraph 230 of the Complaint, refers all
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1 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 230 of
2 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
3 form a belief about the truth of such allegations, so same are denied.
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5 231. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
6 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no
7 response to the allegations related to or in support of Plaintiff's CFA claims is required.
8 Notwithstanding, SnG denies the allegations in Paragraph 231 of the Complaint, refers all
9 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 231 of
10 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
11 form a belief about the truth of such allegations, so same are denied.
12

13 232. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
14 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no
15 response to the allegations related to or in support of Plaintiff's CFA claims is required.
16 Notwithstanding, SnG denies the allegations in Paragraph 232 of the Complaint, refers all
17 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 232 of
18 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
19 form a belief about the truth of such allegations, so same are denied.
20

21 233. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
22 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no
23 response to the allegations related to or in support of Plaintiff's CFA claims is required.
24 Notwithstanding, SnG denies the allegations in Paragraph 233 of the Complaint, refers all
25 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 233 of
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1 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
2 form a belief about the truth of such allegations, so same are denied.

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4 234. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona
5 Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed. As such, no
6 response to the allegations related to or in support of Plaintiff's CFA claims is required.
7 Notwithstanding, SnG denies the allegations in Paragraph 234 of the Complaint, refers all
8 questions of law to this Honorable Court, and to the extent that the allegations in Paragraph 234 of
9 the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
10 form a belief about the truth of such allegations, so same are denied.

11 **X. DEFENDANTS' ALLEGED HARM TO GOVERNMENT**

12
13 235. SnG denies the allegations in Paragraph 235 of the Complaint. To the extent that the
14 allegations in Paragraph 235 of the Complaint are directed to other defendants, SnG denies
15 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
16 denied.

17
18 236. SnG denies the allegations in Paragraph 236 of the Complaint and refers all
19 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 236 of the
20 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
21 form a belief about the truth of such allegations, so same are denied.

22
23 237. SnG denies the allegations in Paragraph 237 of the Complaint and refers all
24 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 237 of the
25 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
26 form a belief about the truth of such allegations, so same are denied.

1 238. SnG denies the allegations in Paragraph 238 of the Complaint and refers all
2 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 238 of the
3 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
4 form a belief about the truth of such allegations, so same are denied.
5

6 239. SnG denies knowledge or information sufficient to form a belief about the truth of
7 the allegations in Paragraph 239 of the Complaint.
8

9 240. SnG denies the allegations in Paragraph 240 of the Complaint and refers all
10 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 240 of the
11 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
12 form a belief about the truth of such allegations.
13

14 241. SnG denies the allegations in Paragraph 241 of the Complaint and refers all
15 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 241 of the
16 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
17 form a belief about the truth of such allegations, so same are denied.
18

19 242. SnG denies knowledge or information sufficient to form a belief about the truth of
20 the allegations in Paragraph 242 of the Complaint regarding any link between “gun trafficking
21 from the United States” to “horrendous consequences in Mexico” and as well as the increase in
22 illegal gun ownership and homicide rate in Mexico. SnG denies the remaining allegations in
23 Paragraph 242 of the Complaint.
24

25 243. SnG denies the allegations in Paragraph 243 of the Complaint.

26 244. SnG denies the allegations in Paragraph 244 of the Complaint.

27 245. SnG denies the allegations in Paragraph 245 of the Complaint.
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1 246. SnG denies the allegations in Paragraph 246 of the Complaint.

2 247. SnG denies the allegations in Paragraph 247 of the Complaint. To the extent that the
3 allegations in Paragraph 247 of the Complaint are directed to other defendants, SnG denies
4 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
5 denied.
6

7 248. SnG denies the allegations in Paragraph 248 of the Complaint and refers all
8 questions of law as to what damages are legally recoverable by Plaintiff to this Honorable Court.
9

10 249. SnG denies knowledge or information sufficient to form a belief about the truth of
11 the allegations in Paragraph 249 regarding life expectancy trends in Mexico, but denies the
12 allegation that deaths caused by firearms sold by SnG was causally related to any such downward
13 trends. To the extent that the allegations in Paragraph 249 of the Complaint are directed to other
14 defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such
15 allegations, so same are denied.
16

17 250. SnG denies the allegations in Paragraph 250 of the Complaint.

18 251. SnG denies knowledge or information sufficient to form a belief about the truth of
19 the allegations in Paragraph 251 of the Complaint.
20

21 252. SnG denies the allegations in Paragraph 252 of the Complaint. To the extent that the
22 allegations in Paragraph 252 of the Complaint are directed to other defendants, SnG denies
23 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
24 denied.
25

26 253. SnG denies knowledge or information sufficient to form a belief about the truth of
27 the allegations in Paragraph 253 of the Complaint, and will hold Plaintiff to its proof in admissible
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1 form.

2 254. SnG denies knowledge or information sufficient to form a belief about the truth of
3 the allegations in Paragraph 254 of the Complaint, and will hold Plaintiff to its proof in admissible
4 form.
5

6 255. SnG denies knowledge or information sufficient to form a belief about the truth of
7 the allegations in Paragraph 255 of the Complaint, and will hold Plaintiff to its proof in admissible
8 form.
9

10 256. SnG denies knowledge or information sufficient to form a belief about the truth of
11 the allegations in Paragraph 256 of the Complaint, and will hold Plaintiff to its proof in admissible
12 form.
13

14 257. SnG denies knowledge or information sufficient to form a belief about the truth of
15 the allegations in Paragraph 257 of the Complaint, and will hold Plaintiff to its proof in admissible
16 form.
17

18 258. SnG denies the allegations in Paragraph 258 of the Complaint. To the extent that the
19 allegations in Paragraph 258 of the Complaint are directed to other defendants, SnG denies
20 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
21 denied.
22

23 259. SnG denies the allegations in Paragraph 259 of the Complaint and refers all
24 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 259 of the
25 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
26 form a belief about the truth of such allegations, so same are denied.
27

28 260. SnG denies the allegations in Paragraph 260 of the Complaint and refers all

1 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 260 of the
2 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
3 form a belief about the truth of such allegations, so same are denied.
4

5 **XI. CLAIMS FOR RELIEF**

6 **COUNT ONE** 7 **(NEGLIGENCE)**

8 261. SnG hereby repeats and incorporates by reference its response to each preceding and
9 succeeding Paragraph as though fully set forth herein.

10 262. SnG denies the allegations in Paragraph 262 of the Complaint and refers all
11 questions of law to this Honorable Court.

12 263. SnG denies the allegations in Paragraph 263 of the Complaint and refers all
13 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 263 of the
14 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
15 form a belief about the truth of such allegations, so same are denied.
16

17 264. SnG denies the allegations in Paragraph 264 of the Complaint and refers all
18 questions of law to this Honorable Court.

19 265. SnG denies the allegations in Paragraph 265 of the Complaint and refers all
20 questions of law to this Honorable Court.
21

22 **COUNT TWO** 23 **(PUBLIC NUISANCE)**

24 266. SnG hereby repeats and incorporates by reference its response to each preceding and
25 succeeding Paragraph as though fully set forth herein.

26 267. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's public
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1 nuisance claim was dismissed. As such, no response to this claim is required.

2 268. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's public
3 nuisance claim was dismissed. As such, no response to this claim is required.
4

5 269. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's public
6 nuisance claim was dismissed. As such, no response to this claim is required.

7 270. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's public
8 nuisance claim was dismissed. As such, no response to this claim is required.
9

10 271. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's public
11 nuisance claim was dismissed. As such, no response to this claim is required.

12 272. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's public
13 nuisance claim was dismissed. As such, no response to this claim is required.
14

15 273. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's public
16 nuisance claim was dismissed. As such, no response to this claim is required.

17 **COUNT THREE**
18 **(NEGLIGENT ENTRUSTMENT)**

19 274. SnG hereby repeats and incorporates by reference its response to each preceding and
20 succeeding Paragraph as though fully set forth herein.

21 275. SnG denies the allegations in Paragraph 275 of the Complaint and refers all
22 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 275 of the
23 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
24 form a belief about the truth of such allegations, so same are denied.
25

26 276. SnG denies the allegations in Paragraph 276 of the Complaint and refers all
27 questions of law to this Honorable Court.
28

1 277. SnG denies the allegations in Paragraph 277 of the Complaint and refers all
2 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 277 of the
3 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
4 form a belief about the truth of such allegations, so same are denied.
5

6 278. SnG denies the allegations in Paragraph 278 of the Complaint and refers all
7 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 278 of the
8 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
9 form a belief about the truth of such allegations, so same are denied.
10

11 279. SnG denies the allegations in Paragraph 279 of the Complaint and refers all
12 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 279 of the
13 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
14 form a belief about the truth of such allegations, so same are denied.
15

16 280. SnG denies the allegations in Paragraph 280 of the Complaint and refers all
17 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 280 of the
18 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
19 form a belief about the truth of such allegations, so same are denied.
20

21 281. SnG denies the allegations in Paragraph 281 of the Complaint.

22 282. SnG denies the allegations in Paragraph 282 of the Complaint and refers all
23 questions of law to this Honorable Court.
24

25 283. SnG denies the allegations in Paragraph 283 of the Complaint and refers all
26 questions of law to this Honorable Court.
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COUNT FOUR
(NEGLIGENCE PER SE)

284. SnG hereby repeats and incorporates by reference its response to each preceding and succeeding Paragraph as though fully set forth herein.

285. SnG denies the allegations in Paragraph 285 of the Complaint and refers all questions of law to this Honorable Court.

286. SnG denies the allegations in Paragraph 286 of the Complaint and refers all questions of law to this Honorable Court. To the extent that the allegations in Paragraph 286 of the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are denied.

287. SnG denies the allegations in Paragraph 287 of the Complaint and refers all questions of law to this Honorable Court.

COUNT FIVE
(GROSS NEGLIGENCE)

288. SnG hereby repeats and incorporates by reference its response to each preceding and succeeding Paragraph as though fully set forth herein.

289. SnG denies the allegations in Paragraph 289 of the Complaint and refers all questions of law to this Honorable Court. To the extent that the allegations in Paragraph 289 of the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are denied.

290. SnG denies the allegations in Paragraph 290 of the Complaint and refers all questions of law to this Honorable Court.

291. SnG denies the allegations in Paragraph 291 of the Complaint and refers all

1 questions of law to this Honorable Court.

2 292. SnG denies the allegations in Paragraph 292 of the Complaint and refers all
3 questions of law to this Honorable Court.

4 293. SnG denies the allegations in Paragraph 293 of the Complaint and refers all
5 questions of law to this Honorable Court.

6
7 **COUNT SIX**
8 **(UNJUST ENRICHMENT AND RESTITUTION)**

9 294. SnG hereby repeats and incorporates by reference its response to each preceding and
10 succeeding Paragraph as though fully set forth herein.

11 295. SnG denies the allegations in Paragraph 295 of the Complaint. To the extent that the
12 allegations in Paragraph 295 of the Complaint are directed to other defendants, SnG denies
13 knowledge or information sufficient to form a belief about the truth of such allegations, so same are
14 denied.

15 296. SnG denies the allegations in Paragraph 296 of the Complaint and refers all
16 questions of law to this Honorable Court.

17 297. SnG denies the allegations in Paragraph 297 of the Complaint and refers all
18 questions of law to this Honorable Court.

19 298. SnG denies the allegations in Paragraph 298 of the Complaint and refers all
20 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 298 of the
21 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
22 form a belief about the truth of such allegations, so same are denied.

23 299. SnG denies the allegations in Paragraph 299 of the Complaint and refers all
24 questions of law to this Honorable Court.

300. SnG denies the allegations in Paragraph 300 of the Complaint and refers all questions of law to this Honorable Court. To the extent that the allegations in Paragraph 300 of the Complaint are directed to other defendants, SnG denies knowledge or information sufficient to form a belief about the truth of such allegations, so same are denied.

302. SnG denies the allegations in Paragraph 302 of the Complaint and refers all questions of law to this Honorable Court.

303. SnG hereby repeats and incorporates by reference its response to each precedent and succeeding Paragraph as though fully set forth herein.

305. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona Consumer Fraud Act claim was dismissed. As such, no response to this claim is required.

307. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona Consumer Fraud Act claim was dismissed. As such, no response to this claim is required.

309. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona

1 Consumer Fraud Act claim was dismissed. As such, no response to this claim is required.

2 **COUNT EIGHT**
3 **(PUNITIVE DAMAGES)**

4 310. SnG hereby repeats and incorporates by reference its response to each preceding and
5 succeeding Paragraph as though fully set forth herein.

6 311. SnG denies the allegations in Paragraph 311 of the Complaint and refers all
7 questions of law to this Honorable Court. To the extent that the allegations in Paragraph 311 of the
8 Complaint are directed to other defendants, SnG denies knowledge or information sufficient to
9 form a belief about the truth of such allegations, so same are denied.

10 312. SnG denies the allegations in Paragraph 312 of the Complaint and refers all
11 questions of law to this Honorable Court.

12 313. SnG denies the allegations in Paragraph 313 of the Complaint and refers all
13 questions of law to this Honorable Court.

14 **COUNT NINE**
15 **(RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT)**
16 **18 U.S.C. § 1962(c)**

17 **Defendant SnG Tactical**

18 314. SnG hereby repeats and incorporates by reference its response to each preceding and
19 succeeding Paragraph as though fully set forth herein.

20 315. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
21 claims were dismissed. As such, no response to this claim is required.

22 316. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
23 claims were dismissed. As such, no response to this claim is required.

24 317. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
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1 claims were dismissed. As such, no response to this claim is required.

2 318. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
3 claims were dismissed. As such, no response to this claim is required.

4 319. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
5 claims were dismissed. As such, no response to this claim is required.

6
7 **COUNT TEN**
8 **(RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT)**
9 **18 U.S.C. § 1962(c)**

10 **Defendant Diamondback**

11 320. SnG hereby repeats and incorporates by reference its response to each preceding and
12 succeeding Paragraph as though fully set forth herein.

13 321. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
14 claims were dismissed. As such, no response to this claim is required.

15 322. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
16 claims were dismissed. As such, no response to this claim is required.

17 323. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
18 claims were dismissed. As such, no response to this claim is required.

19 324. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
20 claims were dismissed. As such, no response to this claim is required.

21 325. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
22 claims were dismissed. As such, no response to this claim is required.

COUNT ELEVEN
(RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT)
18 U.S.C. § 1962(c)

Defendant Sprague's Sports

326. SnG hereby repeats and incorporates by reference its response to each preceding and succeeding Paragraph as though fully set forth herein.

327. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were dismissed. As such, no response to this claim is required.

328. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were dismissed. As such, no response to this claim is required.

329. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were dismissed. As such, no response to this claim is required.

330. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were dismissed. As such, no response to this claim is required.

331. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were dismissed. As such, no response to this claim is required.

COUNT TWELVE
(RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT)
18 U.S.C. § 1962(c)

Defendant Ammo AZ

332. SnG hereby repeats and incorporates by reference its response to each preceding and succeeding Paragraph as though fully set forth herein.

333. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO claims were dismissed. As such, no response to this claim is required.

1 334. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
2 claims were dismissed. As such, no response to this claim is required.

3 335. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
4 claims were dismissed. As such, no response to this claim is required.

5 336. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
6 claims were dismissed. As such, no response to this claim is required.

7 337. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
8 claims were dismissed. As such, no response to this claim is required.

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11 **COUNT THIRTEEN**
12 **(RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT)**
13 **18 U.S.C. § 1962(c)**

14 **Defendant The Hub**

15 338. SnG hereby repeats and incorporates by reference its response to each preceding and
16 succeeding Paragraph as though fully set forth herein.

17 339. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
18 claims were dismissed. As such, no response to this claim is required.

19 340. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
20 claims were dismissed. As such, no response to this claim is required.

21 341. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
22 claims were dismissed. As such, no response to this claim is required.

23 342. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
24 claims were dismissed. As such, no response to this claim is required.

25 343. Pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's RICO
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claims were dismissed. As such, no response to this claim is required.

XII. DEMAND FOR JUDGMENT

SnG denies each and every allegation contained in the Demand for Judgment of Plaintiff's Complaint, including the allegations contained in the paragraphs designated "a" through "k" of same.

GENERAL DENIAL

Any allegation in the Complaint that is not specifically admitted is denied.

AFFIRMATIVE DEFENSES

1. Plaintiff's Complaint, and each and every cause of action contained therein, is barred by the substantive immunity provided by the Protection of Lawful Commerce in Arms Act, 15 U.S.C. §§ 7901-03.

2. Plaintiff lacks Article III Standing to bring this suit.

3. Plaintiff's claims fail due to a lack of proximate causation.

4. Plaintiff's Complaint, and each and every cause of action contained therein, fails to state facts sufficient to state a claim.

5. Each of Plaintiff's causes of action in the Complaint are barred, in whole or in part, by the applicable statutes of limitations, thereby barring recovery of any damages, or a reduction thereto. Specifically, Defendant contends that Plaintiff's Complaint is barred, in whole or in part, by the one-year statute of limitations applicable to consumer fraud claims, A.R.S. § 12-541 (however, pursuant to this Court's March 25, 2024 Order (ECF Doc. 50), Plaintiff's Arizona Consumer Fraud Act ("CFA") claim (Count Seven of the Complaint) was dismissed); two-year statute of limitations for tort claims and negligence claims, A.R.S. § 12-542; the three-year statute of limitations, which applies to claims for restitution, A.R.S. § 12-543; the four-year statute of limitations, which is applicable to claims for unjust enrichment, A.R.S. § 12-550.

6. Plaintiff failed to add parties indispensable to this case, including, but not limited to, the United States Government (including but not limited to the DOJ, ATF, ICE, DEA, FBI

1 and DHS), the alleged straw purchasers identified or unidentified in the Complaint, the alleged
2 firearm traffickers identified and unidentified in the Complaint, the people who allegedly
3 committed crimes with firearms sold by defendants, Mexican government, military, and law
4 enforcement officials who supply illegal firearms to cartels, the foreign sources of firearms for
5 cartels in Mexico, including those located in Central and South America, and the cartel
6 members, associates, or agents thereof.

7 7. Any damages suffered by Plaintiff were proximately caused, in whole or in part,
8 by the failure of Plaintiff to exercise reasonable care in curtailing and/or remedying the ongoing
9 violence inflicted by the cartels on its own people, and therefore, Plaintiff's recovery, if any,
10 must be diminished by the proportion of the negligence, acquiescence, and/or inaction of
11 Plaintiff, which proximately caused or contributed to Plaintiff's alleged damages.

12 8. Any damages suffered by Plaintiff were proximately caused, in whole or in part,
13 by the negligence or other actionable conduct of persons or entities other than SnG. Therefore,
14 should SnG be found liable to Plaintiff as a result of the incidents alleged in the Complaint, the
15 amount of Plaintiff's recovery, if any, should be no greater than an amount which is equal to
16 SnG's proportionate share, if any, of the combined negligence or other actionable conduct of
17 those persons or entities whose negligence or actionable conduct proximately caused Plaintiff's
18 alleged damages.

19 9. Plaintiff has failed to mitigate its damages, if any, suffered as a result of the
20 incidents set forth in the Complaint.

21 10. Plaintiff's claims for damages are barred by the economic loss rule.

22 11. Any damages suffered by Plaintiff were a direct and proximate result of
23 superseding and intervening cause(s) based on the numerous criminal actions committed
24 subsequent to any sale of firearms by SnG and before the alleged harm to Plaintiff.

25 12. Plaintiff is estopped from claiming the damages alleged against SnG in the
26 Complaint because of Plaintiff's negligence, improper conduct, acquiescence and/or inaction in
27 creating, failing to curtail or remedy the ongoing violence inflicted by the cartels on its own
28 people, including the doctrine of unclean hands, including estoppel by representation, estoppel

1 by acquiescence, equitable estoppel and estoppel by convention. Plaintiff has presented or stated
2 facts that were not true and upon which Defendant detrimentally relied, including that it would
3 police its borders, stop corruption and the illegal flow of firearms within its country, and would
4 make efforts to prevent and deter cartel violence, drug violence and related firearms crimes. In
5 addition, Plaintiff's own negligence, improper conduct, acquiescence, and/or inaction in failing
6 to curtail or remedy cartel and drug violence while intentionally and/or negligently ignoring and
7 turning a blind eye to such issues precludes Plaintiff from bringing this lawsuit. Plaintiff's
8 alleged injuries/damages were caused by its own illegal activities or the illegal activities of
9 persons under its control. Such illegal activities would include, but are not limited to, illegal
10 conduct with the cartels, police and law enforcement corruption, allowing persons to illegally
11 possess firearms, obtaining firearms from illegal sources, intentionally and/or negligently
12 ignoring and turning a blind eye to drug, cartel and illegal firearms trafficking activities in
13 Mexico, and/or other illegal schemes or conduct that resulted in harm to Mexico's citizens
14 and/or violence by the cartels. Further, Plaintiff has failed to control the illegal importation of
15 firearms into Mexico on multiple borders, eliminate, curtail or remedy cartel violence, and
16 Plaintiff's own nonfeasance and malfeasance with respect to allowing the cartels to operate
17 and/or intentionally and/or negligently ignoring and turning a blind eye to drug, cartel and
18 illegal firearms trafficking activities and issues in Mexico has contributed to the alleged injuries
19 sustained by Plaintiff.

20 13. Plaintiff's claims for punitive and/or exemplary damages are precluded by
21 operation of Ariz. Rev. Stat. § 12-689.

22 14. Plaintiff is not entitled to a damage award violative of SnG's due process and
23 equal protection rights and other rights set forth in the United States Constitution or rights under
24 the Arizona Constitution. SnG expressly reserves any and all constitutional defenses, claims,
25 and arguments against the imposition of punitive damages against it or the amount of same or in
26 any other manner relating to punitive damages. Plaintiff's claim for punitive damages against
27 SnG: violates the Sixth Amendment of the United States Constitution because SnG is not
28 informed of the nature and cause of the accusations against it, and thus, the allegations are void

1 for vagueness; violates SnG's rights to substantive and procedural due process as provided in the
 2 Fifth and Fourteenth Amendments of the United States Constitution; violates the due process
 3 clause of Fourteenth Amendment to the United States Constitution; violates SnG's right to equal
 4 protection as provided in the Fourteenth Amendment to the United States Constitution; violates
 5 SnG's right to contract, as provided in Article I, Section 10 of the United States Constitution;
 6 exposes SnG to double jeopardy in violation of the Fifth Amendment of the United States
 7 Constitution; constitutes an impermissible burden on international and interstate commerce in
 8 violation of Article I, Section 8 of the United States Constitution; violates the separation of
 9 powers doctrine embodied in Article VI of the United States Constitution; and constitutes the
 10 imposition of an excessive fine in violation of SnG's rights provided in the Eighth Amendment
 11 of the United States Constitution. Plaintiff's claim for punitive or exemplary damages is further
 12 barred by Article 2, Section 4, of the Arizona Constitution.

13 15. SnG invokes the provisions of Title 12, Chapter 16 of the Arizona Revised
 14 Statutes, the Uniform Contribution Among Tortfeasors Act, including the right to contribution,
 15 pro rata shares, release, comparative negligence, the lack of joint and several liability, and
 16 apportionment of fault.

17 16. Plaintiff's claims against SnG are barred or should be reduced by the comparative
 18 fault of others, including, but not limited to, Plaintiff, pursuant to Ariz. Rev. Stat. § 12-2506.

19 17. SnG did not owe Plaintiff a legal duty to protect Plaintiff or its citizens from the
 20 particular risk of harm that caused, or was the substantial factor in causing, the incidents alleged
 21 in the Complaint.

22 18. Plaintiff lacks prudential standing based on its quasi-sovereign interest in the
 23 health and well-being of its residents because *parens patriae* standing should not be recognized
 24 in a foreign nation unless there is a clear indication of intent to grant such standing expressed by
 25 the Supreme Court or by the two coordinate branches of government.

26 19. All or a portion of Plaintiff's claims are barred due to the law of the case doctrine.

27 20. The Court lacks subject matter jurisdiction over this case.

28 21. There was no special relationship between SnG and Plaintiff and/or the third-party

actors at fault, so SnG did not owe Plaintiff a duty as a matter of law.

22. Plaintiff's claims are in violation of the First Amendment of the United States Constitution, which guarantees SnG's right to commercial free speech.

23. Plaintiff's claims are in violation of the Second Amendment of the United States Constitution, which guarantees the right to bear arms, and the citizenry's right to access such arms from Defendant.

24. Plaintiff's claims are barred by the provisions of the Commerce Clause of the Constitution of the United States, Article I, Section 8.

25. Plaintiff's negligent entrustment claim fails because this cause of action is inapplicable in the context of the sales of chattel alleged in the Complaint.

26. Plaintiff's claims for relief before the Court violate the United States and Arizona State constitutional separation of powers in that Plaintiff seeks to have the judicial branch create legislative policy.

27. Plaintiff's claims are too remote and derivative to permit recovery as a matter of law.

28. Plaintiff's Complaint, which aggregates unidentified shootings by unidentified persons in unidentified circumstances over an unspecified period of time, is barred by the Seventh Amendment of the Constitution of the United States.

29. Plaintiff's claims are barred by the doctrine of laches.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, SnG demands a trial by jury of all issues triable of right by a jury in this action.

WHEREFORE, SnG hereby requests the following relief:

1. That Plaintiff takes nothing by his Complaint;
2. That Plaintiff's Complaint be dismissed with prejudice on the merits;
3. That SnG recovers its costs, attorney's fees, and disbursements herein; and
4. Such other relief as the Court herein deems just and equitable.

1
2 Dated: December 2, 2024

3 RENZULLI LAW FIRM LLP

4
5 By: /s/ Jeffrey Malsch
6 Christopher Renzulli, Esq. (*Pro Hac Vice*)
7 Peter Malfa, Esq. (*Pro Hac Vice*)
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15 *Attorneys for Defendants*
16 *Diamondback Shooting Sports, Inc.,*
17 *Loan Prairie, LLC d/b/a The Hub,*
18 *SNG Tactical, LLC and*
19 *Sprague's Sports, Inc.*
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CERTIFICATE OF SERVICE

I, Jeffrey Malsch, hereby certify that this document was filed with the Clerk of the Court via CM/ECF. Those attorneys who are registered with the Court's electronic filing system may access this filing through the Court's CM/ECF system, and notice of this filing will be sent to these parties by operation of the Court's electronic filings system.

Dated: December 2, 2024

By: /s/ Jeffrey Malsch
Jeffrey Malsch
jmalsch@renzullilaw.com